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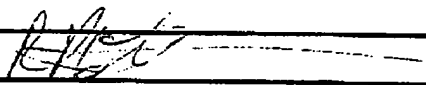
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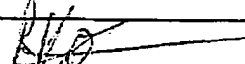
PTO/SB/21 (09-08)

Approved for use through 10/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/683,881	
	Filing Date	February 22, 2002	
	First Named Inventor	Robert Otillar	
	Art Unit	1743	
	Examiner Name	Jan M. Ludlow	
Total Number of Pages in This Submission	5	Attorney Docket Number	0861

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name		
Signature		
Printed name	Robert P. Otillar	
Date	2008/10/24	Reg. No.

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Robert P. Otillar	Date 2008/10/24

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4918).

# FEE TRANSMITTAL For FY 2009

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**65.00**

## Complete if Known

Application Number 09/683,861  
Filing Date February 22, 2002  
First Named Inventor Robert Otillar  
Examiner Name Jan M. Ludlow  
Art Unit 1743  
Attorney Docket No. 0861

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_  
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

## 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195

Total Claims - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_  
HP = highest number of total claims paid for, if greater than 20.  
Indep. Claims - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_  
HP = highest number of independent claims paid for, if greater than 3.

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	_____ / 50 = _____	(round up to a whole number) x _____	_____	_____

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount) \_\_\_\_\_  
Other (e.g., late filing surcharge): \_\_\_\_\_ **65.00**

## SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	0861	Telephone	415 317 2008
Name (Print/Type)	Robert P. Otillar	Date	2008/10/24		

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APPLICANT(S):	Robert Otilar, <i>et al.</i>
APPLICATION NO.:	09/683,861
FILING DATE:	February 22, 2002
TITLE:	Systems and Methods for Localizing and Analyzing Samples
EXAMINER:	Jan M. Ludlow
GROUP ART UNIT:	1743
ATTY. DKT. NO.:	0861

**CERTIFICATE OF MAILING/TRANSMISSION**

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☒ transmitted on the date shown below via facsimile to the attention of: Examiner Ludlow.

Dated: October 24, 2008 By:   
Robert P. Otilar

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**RESPONSE TO NOTICE OF EX PARTE QUAYLE ACTION**

**EXAMINER:**

Responsive to the Notice of Ex Parte Quayle Action dated July 24, 2008 received in the above-identified patent application, please consider the remarks below. This response includes a fee for a one-month extension; hence his current response is timely filed.

In the Ex Parte Quayle Action of July 24, 2008, the Examiner re-stated her restriction requirement from October 5, 2006. Applicant herein requests a telephone interview with the Examiner and Supervisory Examiner to discuss amendments to Claim 39 to make Claim 39 and dependent claims allowable. As discussed in previous Responses, the Applicant has already made the amendments to Claim 59 that the Examiner previously requested in order to overcome the restriction requirement. However, having made those changes, the Examiner has not withdrawn the restriction requirement and is now citing additional reasons for restriction. In the event the Examiner, Supervisor, and Applicant cannot agree on amendments that overcome the

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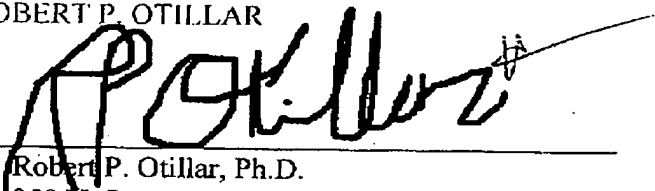
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Reference/Docket No: 0861  
USSN: 09/683,861

restriction requirement, the Applicant then hereby cancels claims 1-58, 74, 75 and 77, and requests allowance of the application.

Respectfully submitted,  
ROBERT P. OTILLAR

Dated: October 24, 2008

Signed: 

Robert P. Otillar, Ph.D.  
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Los Altos, CA 94022  
(415) 317-2008 (tel)